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Co-Counsel for Plaintiffs, American Airlines Flow-Thru
Pilots Coalition, Gregory R. Cordes, Dru Marquardt,
Doug Poulton, Stephan Robson and Philip Valente III

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

AMERICAN AIRLINES FLOW-
THRU PILOTS COALITION, et al.,

Plaintiffs,

v.

ALLIED PILOTS ASSOCIATION et
al.,

Defendants.

Case No.: 3:18-cv-03682-RS

**STIPULATION TO CONTINUE
HEARING DATE ON DEFENDANT
APA'S MOTION TO DISMISS
PURSUANT TO FRCP RULES
12(B)(5) AND 12(B)(6) AND TO
EXTEND THE BRIEFING
SCHEDULE RE SAID MOTION**

ORDER

The undersigned parties hereby stipulate, and respectfully request the Court
to order, that the schedule for briefing and hearing the motion to dismiss filed by

1 Defendant Allied Pilots Association (“APA”) be continued as set forth below, due
2 to the recent fires in Southern California. Good cause for such an extension exists
3 for the following reasons:

4
5 On October 17, 2019, Defendant APA filed its Motion to Dismiss the
6 complaint in this matter pursuant to Federal Rules of Civil Procedure 12(b)(5)
7 and 12(b)(6).

8
9 On October 28, 2019, at 2.30 a.m., both lead counsel for Plaintiffs,
10 Timothy D. McGonigle and George Braunstein, were ordered to evacuate
11 themselves and their families from their homes due to the Getty Fire. Counsel
12 complied with the evacuation orders and relocated with their personal belongings
13 and important papers to relative’s homes outside of the evacuation area. Those
14 evacuation orders have yet to be lifted. Plaintiffs’ counsel Clark Braunstein’s
15 property, which was under development on North Tigertail Road in Los Angeles,
16 was also destroyed during the initial outbreak of the fire;;

17
18 Due to delays and displacement imposed by reason of the evacuations
19 ordered in connection with the October 2019 Getty Fire, the parties in and
20 through counsel hereby stipulate to continue, and request the Court for an order
21 continuing, the hearing on Defendant APA’s Motion to Dismiss for one week,
22 from December 5, 2019 to December 12, 2019 at 1:30 p.m., in Courtroom 3 --
23 17th Floor.
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1 The parties further stipulate to continuing, and request the Court for an
2 order continuing, the briefing due dates on the foregoing motion as follows: the
3 Opposition to the Motion shall be continued from November 1, 2019 to
4 November 8, 2019, and the Reply in Support of the Motion shall be continued
5 from November 8, 2019 to November 22, 2019.
6

7 Respectfully Submitted,
8

9 DATED: October 30, 2019

10 TIMOTHY D. MCGONIGLE PROF. CORP.
11 Timothy D. McGonigle

12 By: /s/ Timothy D. McGonigle
13 Timothy D. McGonigle

14 BRAUNSTEIN & BRAUSTEIN, P.C.

15 By: /s/ Clark Anthony Braunstein
16 Clark Anthony Braunstein

17 Attorneys for Plaintiffs, American Airlines
18 Flow-Thru Pilots Coalition, Gregory R. Cordes,
19 Dru Marquardt, Doug Poulton, Stephan Robson and Philip Valente III
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10 By: /s/ Jeffrey B. Demain

11 Jeffrey B. Demain

12 Attorneys for Defendant Allied Pilots Association

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The hearing on Defendant APA's Motion to Dismiss pursuant to Federal Rules of Civil Procedure 12(b)(5) and 12(b)(6) is continued for one week, from December 5, 2019 to December 12, 2019 at 1:30 p.m., in Courtroom 3 -- 17th Floor;

Dated: 10/30/19


United States District Court Judge